



DEPARTMENT OF THE NAVY
NAVAL MEDICAL RESEARCH CENTER
8901 WISCONSIN AVENUE
BETHESDA MARYLAND 20889-5607

IN REPLY REFER TO:

PATENT APPLICATION
Atty Docket No. 78,560
Ser 44/00/341

Commissioner of Patents and Trademarks
Washington, D.C. 20231



Applicants: Lee et al
Serial No.: 09/439,311
For: "A Recombinant Polypeptide for Use In the
Manufacture of Vaccines Against Campylobacter Induced
Diarrhea and to Reduce Colonization"

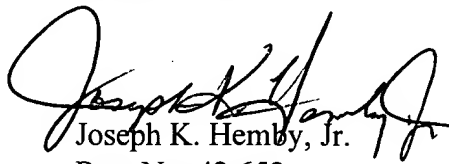
Examiner: Not Assigned
Group: 1643

Sir

Transmitted herewith is the response to the Notice of Missing Parts dated December 20, 1999, which includes an oath or declaration and a substitute computer readable form. Applicants are also submitting an apparently missing page 36 of this application. Applicants declare that the submitted page 36, the paper copy and the substitute computer readable form are identical and thus no new matter has been added.

Kindly charge the \$130 filing fee and an extension to respond within the Third Month of \$ 870.00, and any other fee that may be due or required to Deposit Account 140595.

Respectfully,


Joseph K. Hemby, Jr.
Reg. No. 42,652

Encl:

- (1) Declaration and Power of Attorney
- (2) Substitute Computer Readable Form
- (3) Submission of missing page 36.

Phone: 301/319-7427
Fax: 301/319-7432
Date: April 26, 2000

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Examiner: Not Assigned
Group: 1643

Sir

In the November 12, 1999 filing of the above captioned application, page 36 may have become unintentionally detached from the rest of the Application. This correspondence serves as a notification to the office of the possible missing page and to resubmit the page. This page is part of the originally submitted sequence listing and corresponds to both PCT/US99/27195 and U.S. Provisional Application 60/108,114 filed November 12, 1999 and November 12, 1998, respectively. Thus, Applicants contend that no new matter is being entered.

Respectfully,

Joseph K. Hemby, Jr.
Reg. No. 42,652

Phone: 301/319-7427
Fax: 301/319-7432
Date: April 26, 2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/439,311 | 11/12/99 | LEE | N 78.560 |

0222/1220

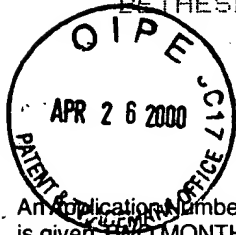
DEPARTMENT OF THE NAVY
NAVAL MEDICAL RESEARCH CENTER
8901 WISCONSIN AVENUE
BETHESDA MD 20889-5607

NOT ASSIGNED

1643

DATE MAILED:

12/20/99



NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.
- Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:
- \$_____ for _____ total claims over 20.
- \$_____ for _____ independent claims over 3.
- \$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unsigned.
 - ☐ does not cover the newly submitted items.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
- Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

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|--------------------|---------------------|-----------------------|---------------------------|
|--------------------|---------------------|-----------------------|---------------------------|

09/439,311 11/12/99 LEE N 78.560

0222/1220

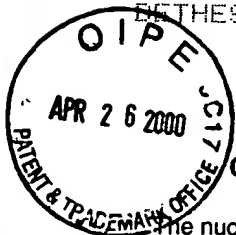
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NOT ASSIGNED

1643

DATE MAILED:

12/20/99



**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☒ 5. The computer-readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

Customer Service Center
Initial Patent Examination Division (703) 308-1000

NAVY CASE NO: 78,560

SERIAL NO: unassigned

INVENTORS: Lee et al



TITLE:



A RECOMBINANT POLYPEPTIDE FOR USE IN THE
MANUFACTURE OF VACCINES AGAINST
CAMPYLOBACTER INDUCED DIARRHEA AND TO
REDUCE COLONIZATION.

Receipt of the following application papers is evidenced hereon by official stamp of the U.S. Patent and Trademark Office.

1. U.S. Utility Patent Application Transmittal (1 page)
2. U.S. Utility Patent Application (43 pages)
3. DISK CONTAINING US APPN AND CDNA/PROTEIN SEQUENCE LISTINGS